

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOSEPH J. MORRIS, on behalf of himself  
and all others similarly situated;

Plaintiff,

vs.

R.A. POPP ENTERPRISES, INC.,  
RONALD POPP, RUTH ANN POPP,  
KAREN POPP, ANDREW POPP,

Defendants.

**8:11CV263**

**ORDER**

During a conference call held today, the plaintiff orally moved to continue the trial and pretrial conference pending the court's ruling on Plaintiff's motion for partial summary judgment and Defendants' motion to decertify the class. The defendants oppose any continuance.

After reviewing the docket, it is clear the court will need additional time to fully review and correctly decide the pending motions. Although the court understands the defendants' position, allowing additional time will permit the court to fully and fairly consider the parties' arguments and the facts, including the defendants' submissions on their motion to decertify.

Accordingly,

IT IS ORDERED:

- 1) The plaintiff's oral motion to continue, (Filing No. 172), is granted.
- 2) The trial and pretrial conference are continued pending Judge Gerrard's determination of the pending motions.

- 3) Within ten days following Judge Gerrard's rulings on the motion for partial summary judgment and the motion to decertify the class, the parties shall contact my chambers to discuss a new trial and pretrial conference setting.

December 31, 2013.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge